IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 21ST JULY 2007 / 30TH PHALGUNA 1928

Crl.MC.No. 809 of 2007()

CRIME NO.420/CR./05 CB CID, THIRUVANANTHAPURAM FROM 316/CB.-191/03 OF MUSEUM POLICE STATION, THIRUVANANTHAPURAM.

PETITIONER:

M.V. MANI, S/O. VARKEY,
MOOLAMATTOM HOUSE,
OONNUKAL P.O.,
KUTTAMANGALAM VILLAGE,
KOTHAMANGALAM.

BY ADV. SRI.GEORGE MATHEW

RESPONDENTS:
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1. STATE OF KERALA,
REP. BY SUPERINTENDENT OF POLICE,
CB CID, THIRUVANANTHAPURAM,
THOUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

2. STATE OF KERALA, REP. BY
DEPUTY SUPERINTENDENT OF POLICE,
CB CID, THIRUVANANTHAPURAM,
THOUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

3. ISSAC JOHN, S/O. JOHN,
AGED 61 YEARS,
PATTANIPARAMBIL HOUSE,
KRISHNAPURAM,
KAYAMKULAM.

BY P.P. SRI.S.U. NAZAR.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 21/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

CRL.M.C.NO. 809 OF 2007

Dated this the 21st day of March, 2007

ORDER

The petitioner was granted anticipatory bail as per Annexure-A1 order dated 14/2/2007 by this Court subject to conditions. One of the conditions is that the petitioner must surrender before the Magistrate concerned and seek regular bail within one month.

2. The learned counsel for the petitioner submits that in obedience to the said condition imposed, the petitioner has surrendered before the learned Magistrate within a period of one month and has been enlarged on bail without any conditions. It is submitted that the learned Magistrate did not impose any condition when regular bail was granted.

3. If that be so, there is no condition imposed on the petitioner now. It is not necessary for the petitioner to seek modification of the conditions imposed at the time of grant of anticipatory bail. The anticipatory bail granted was to live only for a period of one month and if earlier the petitioner

were enlarged on regular bail, it is the only conditions of the regular bail that he is obliged to observe after such grant of regular bail. It is clarified that if regular bail has been granted without any conditions, the petitioner has no obligation to comply with the conditions imposed on him when he was granted anticipatory bail.

4. This Crl.M.C. is, in these circumstances, dismissed; but with the above observations.

Sd/-
(R. BASANT, JUDGE)

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P.S. to Judge